

House Bill 154

By: Representatives Forster of the 3<sup>rd</sup>, Bridges of the 10<sup>th</sup>, Day of the 163<sup>rd</sup>, Neal of the 1<sup>st</sup>, Cox of the 102<sup>nd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, so as to provide for a special license plate recognizing and honoring police officers who have been wounded in the line of duty; to provide for issuance, renewal, fees, licensing agreements, applications, and transfers relative to such special license plates; to provide a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, is amended by adding a new Code Section 40-2-86.10 to read as follows:

"40-2-86.10.

(a) Motor vehicle or boat trailer owners who are or formerly were police officers who were wounded in the line of duty as a police officer shall be eligible to receive a special and distinctive vehicle license plate for a private passenger car or truck used for personal transportation or for a boat trailer, provided that the requisite number of applications are received by the commissioner as provided in subsection (b) of this Code section. Such license plate shall be issued in compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles as prescribed in Article 2 of this chapter. The commissioner shall be authorized to promulgate rules and regulations to determine the eligibility of such persons for such special and distinctive license plates.

(b) A person who qualifies for the special and distinctive license plate pursuant to subsection (a) of this Code section shall make application therefor with the commissioner and include the requisite fee. Said applicant, upon payment of the regular license fee provided for in Code Section 40-2-151 and payment of the manufacturing fee provided for in this Code section, may apply for and be limited to not more than one such special and

1 distinctive license plate. The commissioner shall retain all applications received for such  
2 distinctive license plate until a minimum of 250 applications have been received. After  
3 receipt of 250 applications for such distinctive license plate, the commissioner shall design  
4 a distinctive license plate as provided in subsection (c) of this Code section and issue the  
5 distinctive license plates to present and future qualifying applicants. If the commissioner  
6 does not receive the required minimum 250 applications no later than July 31, 2005, the  
7 commissioner shall not accept any applications for nor issue such distinctive license plates  
8 and all fees shall be refunded to applicants. The commissioner shall promulgate such rules  
9 and regulations as may be necessary to enforce compliance with all state license laws  
10 relating to the use and operation of private passenger cars and trucks and boat trailers  
11 before issuing these license plates in lieu of the regular Georgia license plates. The  
12 manufacturing fee for each additional special and distinctive license plate shall be \$25.00.  
13 The commissioner is specifically authorized to promulgate all rules and regulations  
14 necessary to ensure compliance in instances where such vehicles have been transferred or  
15 sold. Except as provided in subsection (d) of this Code section, such plates shall be  
16 nontransferable.

17 (c) The special and distinctive vehicle license plates shall be as prescribed in Article 2 of  
18 this chapter for private passenger cars or trucks used for personal transportation or for boat  
19 trailers. Additional words or symbols, in addition to the numbers and letters prescribed by  
20 law, shall be inscribed upon such license plates so as to identify distinctively the owner as  
21 a police officer who was wounded in the line of duty.

22 (d) The license plate issued pursuant to this Code section shall be transferred between  
23 vehicles as provided in Code Section 40-2-80. The spouse of a person who qualifies for  
24 such special and distinctive license plate under subsection (a) of this Code section shall  
25 continue to be eligible to be issued a distinctive personalized license plate as provided in  
26 this Code section for any vehicle owned by such person ownership of which is transferred  
27 to the surviving spouse or for any other vehicle owned by such surviving spouse either at  
28 the time of the qualifying person's death or acquired thereafter, so long as such person does  
29 not remarry.

30 (e) For each special license plate issued under this Code section there shall be an  
31 additional \$25.00 annual registration fee which fee shall be collected by the county tag  
32 agent at the time of collection of other registration fees and shall be remitted to the state  
33 as provided in Code Section 40-2-34.

34 (f) For the purposes of this Code section, the term 'police officer' shall mean any law  
35 enforcement officer charged with the duty of enforcing the criminal laws and ordinances  
36 of this state, any other state, or the United States or of the counties or municipalities of this  
37 state or any other state who is employed by and compensated by the United States, the

1 state, or any county or municipality of the state. The term shall include, but not be limited  
2 to, municipal police, county police, sheriffs, deputy sheriffs, wardens, guards, agents of the  
3 Georgia Bureau of Investigation, members of the uniform division of the Department of  
4 Public Safety, agents and investigators of the State Forestry Commission, conservation  
5 rangers of the Department of Natural Resources, agents of the Department of Revenue,  
6 agents of the Federal Bureau of Investigation, agents of the federal Drug Enforcement  
7 Administration, and agents of the federal Secret Service."

## 8 **SECTION 2.**

9 All laws and parts of laws in conflict with this Act are repealed.